

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Washio, et al.

International App. No.: PCT/EP2004/013072

Group Art Unit:

International Filing Date: November 17, 2004

Examiner:

For: 1-AMINO-ISOQUINOLINE DERIVATIVES FOR THE TREATMENT OF DISEASES
ASSOCIATED WITH INAPPROPRIATE ALK5

Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Applicants request that the references identified on Form PTO-1449 appended hereto be considered by the Examiner and officially made of record in accordance with the provisions of 37 CFR 1.97

- ☐ Copies of the references are enclosed
- ☐ Copies of the references were submitted in parent application Serial No. _____. (37 CFR 1.98(d))
- ☒ A copy of the International Search Report which issued on International Application No. PCT/EP2004/013072 is submitted herewith. All of the publications cited in the International Search Report are listed on the attached form PTO-1449 and Applicants understand that copies have been supplied to the U.S. Patent Office by the International Bureau.
- A. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing date of the above application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 CFR 1.97(b).
- OR
- ☐ The Information Disclosure Statement submitted herewith is being filed before the mailing of a first office action after the filing of a Request For Continued Examination under 37 C.F.R. 1.114 (37 C.F.R. 1.97(b)(4)).
- B. ☐ The Information Disclosure Statement transmitted herewith is being filed **after** three months of the filing date of the above application or the date of entry into the national stage as set forth in § 1.491 of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last, but **before** the mailing date of either:
- (1) a final action under § 1.113 or
- (2) a notice of allowance under § 1.311,
- whichever occurs first.
- ☐ Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ Applicant elects the option to pay the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under § 1.97(c) (\$240.00).

- C. ☐ The Information Disclosure Statement transmitted herewith is being filed **after** a final action under § 1.113, or a notice of allowance under § 1.311, whichever occurs first, but before the payment of the issue fee. Also enclosed is a copy of the International Search Report which Issued on International Publication No.

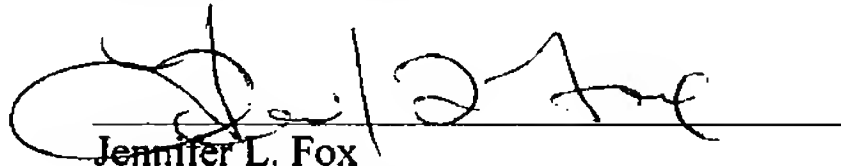
In accordance with the requirements of 37 CFR 1.97(d):

- ☐ Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ Applicant hereby petitions for the consideration of the accompanying Information Disclosure Statement. 37 CFR 1.97(d)(ii).
- ☐ The petition fee set forth in § 1.17(i)(1) (\$130.00) is submitted herewith.

☒ Please charge any required fees to Deposit Account No.07-1392.

☐ A duplicate copy of this paper is attached.

Respectfully Submitted,



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INTERNATIONAL SEARCH REPORT

Inte rnational Application No
PC . . . P2004/013072

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 C07D217/22 C07D401/04 C07D401/12 A61P1/00 A61P9/00
A61P25/00 A61K31/472 A61K31/4709 C07D401/14

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C07D A61P A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, CHEM ABS Data, BEILSTEIN Data, WPI Data, EMBASE

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 01/87845 A (FUJISAWA PHARMACEUTICAL CO., LTD; YAMADA, AKIRA; SPEARS, GLEN; HAYASHI) 22 November 2001 (2001-11-22) examples 15, 22 and 31 -----	1,2,9-16
A	WO 02/40468 A (SMITHKLINE BEECHAM CORPORATION; BENDER, PAUL, E; BURGESS, JOELLE, L; C) 23 May 2002 (2002-05-23) the whole document -----	1-16
P,A	WO 2004/065392 A (SMITHKLINE BEECHAM CORPORATION; DODIC, NERINA; GELLIBERT, FRANCOISE, J) 5 August 2004 (2004-08-05) the whole document -----	1-16

☐ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *Z* document member of the same patent family

Date of the actual completion of the international search

28 February 2005

Date of mailing of the international search report

10/03/2005

Name and mailing address of the ISA

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Authorized officer

Gregoire, A

INTERNATIONAL SEARCH REPORT

ational application No.
PCT/EP2004/013072

Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

Although claims 13-14 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.
2. ☐ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this International application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PC., _P2004/013072

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 0187845	A	22-11-2001	AU 5672801 A	26-11-2001
			WO 0187845 A2	22-11-2001
			US 2003176454 A1	18-09-2003
WO 0240468	A	23-05-2002	AU 2573002 A	27-05-2002
			EP 1349851 A1	08-10-2003
			JP 2004517068 T	10-06-2004
			WO 0240468 A1	23-05-2002
			US 2004039198 A1	26-02-2004
WO 2004065392	A	05-08-2004	WO 2004065392 A1	05-08-2004

FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT				ATTORNEY DOCKET NO. PB60581USW		INTERNATIONAL APP. NO. PCT/EP2004/013072	
				APPLICANT Washio et al.			
				INTERNATIONAL FILING DATE 11/17/04		GROUP	
U.S. PATENT DOCUMENTS							
Examiner Initials		Patent Number	Issue Date	Name	Class	Subclass	Filing Date If Appropriate
Continue on page _____							
FOREIGN PATENT DOCUMENTS							
		Document Number	Publication Date	Country	Class	Subclass	Translation Yes No
		01/87845	11/22/01	PCT			
		02/40468	5/23/02	PCT			
		2004/065392	8/5/0	PCT			
Continue on page _____							
OTHER DOCUMENTS (Including Author, Title, Journal-Date, Page Number, Etc.)							
Continue on page _____							
EXAMINER					DATE CONSIDERED		
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.							